

**TESTIMONY OF ATTORNEY SHARON WICKS DORNFELD
JOINT COMMITTEE ON THE JUDICIARY**

31 MARCH 2014

OPPOSE S.B. 492,

**AN ACT CONCERNING THE REPORTING OF SUSPECTED CHILD ABUSE BY PERSONS
WHO ARE DIRECTORS, OFFICERS OR EMPLOYEES OF NONPROFIT CORPORATIONS.**

To the Hon. Eric Coleman, co-chair, the Hon. Gerry Fox, co-chair, the Hon. Paul Doyle, vice chair, the Hon. Matthew Ritter, vice chair, the Hon. John Kissel, ranking member, the Hon. Rosa Rebimbas, ranking member, and members of the Judiciary Committee:

As an officer and/or director of several non-profits serving kids, including the Regional Y of Western Connecticut and Eastern Putnam County, Inc. and A Better Chance in Ridgefield, Inc., and as an attorney with substantial experience in representing neglected and abused children, I oppose S.B. 492. A Board of Directors is generally composed of community members who, while supporting the goals of the organization, often have no direct contact with the children being served, do not directly supervise or even have contact with the employees of the organization, and are uninvolved in the day-to-day operations. Employees actually providing services to children served by these organizations are already included among the categories of mandated reporters.

This bill would essentially expand the C.G.S. §17a-101 list of mandated reporters of child abuse or neglect to include officers and directors of non-profit corporations. Such expansion would expose those officers and directors to potential criminal and civil penalties for failing to make a report, and would be inconsistent with the provisions of C.G.S. §52-557m, which provides for immunity for directors, officers and trustees of non-profit tax-exempt organizations. It would also potentially result in large numbers of duplicate reports by every officer and director of the organization, thereby taxing the resources of the Department of Children and Families. By way of example, the Regional Y board is composed of 22 members; Ridgefield ABC has 28 directors.

Non-profit organizations provide essential services to Connecticut's children. Most operate on a shoestring and all rely on the donated time, expertise, and commitment of civic-minded citizens willing to serve as officers and directors. This bill would expose those officers and directors to the risk of having to defend against a claim of negligence because they "should have known" and potential personal liability. Even the most committed supporters of these organizations would be justifiably reluctant to serve as officers and directors, which could prove fatal to the non-profits.

I urge you to vote against S.B. 492.

Sharon Wicks Dornfeld